IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 16TH OCTOBER 2006 / 24TH ASWINA 1928

Bail Appl..No. 6140 of 2006

CMP.2414/2006 of J.M.F.C.-II, ALUVA
CRIME NO.24/2006 OF ANGAMALY POLICE STATION

PETITIONER/ACCUSED

VARGHESE, AGED 45, S/O.PAPPACHAN,
ALUKKA PUTHUSSERY VEEDU, NAYATHODU KARA,
ANGAMALY VILLAGE, ALUVA TALUK.

BY ADV. SRI.P.SHAIJAN JOSEPH

RESPONDENTS: COMPLAINANT

KERALA STATE REP. BY THE EXCISE
INSPECTOR, ANGAMALY RANGE THROUGH PUBLIC
PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6140/2006

DATED THIS THE 16TH DAY OF OCTOBER, 2006

O R D E R

The petitioner was arrested on 3.9.2006 with 35 litres of wash, together with other utensils and materials required and used for illicit distillation of arrack, by the Excise Range Inspector of Angamaly Excise Range, who registered C.R.No.24/2006 of that Excise Range, under Section 55(g) of the Abkari Act. He remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the duration of the judicial detention, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction

of the Judicial Magistrate of First Class-II, Aluva.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 19.10.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs